



**Massachusetts Department of Environmental Protection**  
*Bureau of Waste Site Cleanup*

**BWSC107D**

**ELIGIBLE PERSON, ELIGIBLE TENANT OR OTHER  
PERSON CERTIFICATION TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0570; requirements for Eligible Persons, Eligible  
Tenants or Other Persons seeking to re-establish response action deadlines.

Release Tracking Number

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**A. DISPOSAL SITE LOCATION:**

1. Disposal Site Name: \_\_\_\_\_
2. Street Address: \_\_\_\_\_
3. City/Town: \_\_\_\_\_ 4. ZIP Code: \_\_\_\_\_

**B. ELIGIBLE PERSON , ELIGIBLE TENANT OR OTHER PERSON MAKING CERTIFICATION:**

1. Name of Organization (if applicable): \_\_\_\_\_
2. Contact First Name: \_\_\_\_\_ 3. Last Name: \_\_\_\_\_
4. Street: \_\_\_\_\_ 5. Title: \_\_\_\_\_
7. City/Town: \_\_\_\_\_ 8. State: \_\_\_\_\_ 9. ZIP Code: \_\_\_\_\_
10. Telephone: \_\_\_\_\_ 11. Ext.: \_\_\_\_\_ 12. FAX: \_\_\_\_\_

**C. STATUS OF PERSON MAKING CERTIFICATION:**

**The person or entity listed below must be an Eligible Person or Eligible Tenant pursuant to M.G.L. c. 21E, §2 and 310 CMR 40.0006, or an Other Person pursuant to 310 CMR 40.0006: (check one)**

1. **Eligible Person** who became an owner or operator of the disposal site or portion thereof:

☐ a. prior to December 14, 2007. ☐ b. on or after December 14, 2007.

c. Date on which the person or entity listed in Section B became an Eligible Person: \_\_\_\_\_  
mm/dd/yyyy

2. **Eligible Tenant** who acquired occupancy, possession or control of the disposal site or portion thereof:

☐ a. prior to December 14, 2007. ☐ b. on or after December 14, 2007.

c. Date on which the person or entity listed in Section B became an Eligible Tenant: \_\_\_\_\_  
mm/dd/yyyy

3. Person who became an **Other Person**:

☐ a. prior to December 14, 2007. ☐ b. on or after December 14, 2007.

c. Date on which the person or entity listed in Section B became an Other Person: \_\_\_\_\_  
mm/dd/yyyy

d. The following facts support the statement that the person or entity listed in Section B is an Other Person and not a Responsible Party or Potentially Responsible Party:

☐ Check here if attaching additional documentation supporting the facts listed above.



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**D. CERTIFICATION OF ELIGIBLE PERSON, ELIGIBLE TENANT OR OTHER PERSON:**

1. I, \_\_\_\_\_, attest under the pains and penalties of perjury: (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this submittal, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, (iii) that I am fully authorized to make this attestation on behalf of the person or entity identified in Section B above, and

> **if Section C of this form indicates Eligible Person**, the person or entity listed in Section B: (i) is an owner or operator of the disposal site or portion thereof who would be liable under M.G.L. c. 21E, § 5(a)(1) solely; (ii) did not cause or contribute to the release; (iii) did not own or operate the site at the time of release; and (iv) is not, and was not at any time, affiliated with any other person or entity (a) who owned or operated the property from which the release originated, or caused such release and (b) who is potentially liable under M.G.L. c. 21E for the disposal site though any direct or indirect contractual, corporate or financial relationship other than (1) that established by any instrument creating such person's or entity's interest in property within the disposal site boundaries or (2) that established by an instrument wholly unrelated to the disposal site and which would not otherwise render such person or entity potentially liable as a result of the relationship.

> **if Section C of this form indicates Eligible Tenant**, the person or entity listed in Section B: (i) acquired occupancy, possession or control of the disposal site, or a portion thereof, after the release of oil or hazardous material had been reported to the department; (ii) did not cause or contribute to the release; (iii) is not otherwise liable pursuant to M.G.L. c. 21E, § 5(a)(2) through (5); and (iv) is not, and was not at any time, affiliated with any other person or entity (a) who owned or operated the property from which the release originated, or caused such release and (b) who is potentially liable under M.G.L. c. 21E for the disposal site though any direct or indirect contractual, corporate or financial relationship other than (1) that established by any instrument creating such person's or entity's interest in property within the disposal site boundaries or (2) that established by an instrument wholly unrelated to the disposal site and which would not otherwise render such person or entity potentially liable as a result of the relationship.

> **if Section C of this form indicates Other Person**, the person or entity listed in Section B: (i) is not a Responsible Party or Potentially Responsible Party, based upon the facts set forth in C3d above; and (ii) is not, and was not at any time, affiliated with any other person or entity (a) who owned or operated the property from which the release originated, or caused such release and (b) who is potentially liable under M.G.L. c. 21E for the disposal site though any direct or indirect contractual, corporate or financial relationship other than (1) that established by any instrument creating such person's or entity's interest in property within the disposal site boundaries or (2) that established by an instrument wholly unrelated to the disposal site and which would not otherwise render such person or entity potentially liable as a result of the relationship.

If the Eligible Person, Eligible Tenant or Other Person identified in Section B is a **Trust**, I hereby certify that said trust consists of trustees, members and/or beneficiaries, all of whom satisfy the requirements of the applicable certification set forth above.

I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate or incomplete information.

2. By: \_\_\_\_\_

Signature

3. Title: \_\_\_\_\_

4. For: \_\_\_\_\_

5. Date: \_\_\_\_\_

mm/dd/yyyy